

**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
MAY 5, 2016, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
Councilmember Ed Baca
City Attorney Shawn Guzman
Support Services Director Marc Mortensen
City Recorder Christina Fernandez**

EXCUSED:

City Manager Gary Esplin

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The invocation was offered by Steve Staneart with the Salvation Army and the Pledge of Allegiance to the Flag was led by Scouts Titus and Kaden from Troup 1697.

Mayor Pike mentioned that the National Day of Prayer breakfast took place this morning. Additionally, he mentioned the passing of Senator Robert Bennett. He stated that the Ironman 70.3 event will be taking place on Saturday, May 7.

Support Services Director Marc Mortensen mentioned that May is national bike month and that the City is participating. Yesterday was bike to school day - he focused on Little Valley elementary who had approximately 215 bikes and 60 scooters. He then showed a video about e-bikes introduced Craig and Diane Shanklin, and Ryan Gurr, Owner of Red Rock Bicycle Company.

Mr. Shanklin stated that bicycles make communities better. He and his wife donated two turbo bikes to the City of St. George employees for their use.

Mayor Pike thanked Mr. and Mrs. Shanklin as well as Mr. Gurr for their contribution.

COMMENTS FROM THE PUBLIC:

Mayor Pike stated that because of the full agenda, each speaker will have three minutes to speak. He outlined the rules for speaking.

Resident Steve Horner stated that he has been in the City for seven years. Many things bother him including the ice cream vendor. He believes the vendor is violating the law since he can hear the truck from over 2,000 feet away. Because they know he does not like them, they park closer to him and are playing the music louder. He would like the City to prosecute the vendor. The HOA where he lives pin him with falsehoods and lies. He mentioned that he visited with Deputy Chief Farnsworth and is tired of being the suspect and being given the third degree. He then mentioned email exchanges with Councilmember Randall in which he requested the City offer a discount on utility bills for disabled veterans. Because he does not believe

Councilmember Randall's response is something the veterans would say, he would like to be invited to the next Veterans Advisory Committee meeting.

Mayor Pike commented that there have been communications with Mr. Horner beforehand; therefore, several members of the Veterans Advisory Committee are present to speak.

Pam Palermo, veteran and member of the Veterans Advisory Committee, stated that Mr. Horner is a Purple Heart recipient and tried to thank him for his service; however, Mr. Horner stopped her, stating that he resents it. She outlined who makes up the Committee and stated that their purpose is to advise the Mayor and City Council on issues of importance to veterans, their families and is based upon input. At their meeting held on February 9th, Councilmember Randall read the email request for discounted utility rates for disabled veterans, without divulging the name of the person who sent it. After much discussion, the consensus of the Committee was that there were already programs in place and no financial burden should be placed on the City; a motion was made, it was seconded and passed. She mentioned that this community is veteran friendly. Councilmember Randall is fair, objective and known throughout this community as a proponent for all military veterans and their families.

Councilmember Randall introduced, Courtney Pendleton, Sam New, Steve Duke and Bruce Rafferty. Mr. Pendleton introduced other members of the board.

Mayor Pike added that the Committee has been in place for about two and a half years. It was Councilmember Randall's idea.

Mr. Rafferty stated this request was not dismissed as something that does not have importance. He mentioned that he works with veterans through the Veterans Legal Initiative, is a Vietnam Veteran and sits on the Utah State Council for the Vietnam Veterans of America. This request would have opened a can of worms. If available, everyone in the veteran community would take advantage. The Committee cannot support the request - it was a unanimous vote. He mentioned a fund that customers can donate additional money to when paying their bill that is available to all customers. It was approached from a veteran's point of view as well as the view from a non-veteran.

Mr. Horner commented that since he got out of the military, he has been involved with many Veteran organizations, many of which he disagrees with. He would like to be invited to the next meeting so he can express his opinion on how this can work and how Washington County offers discounts on property taxes.

Councilmember Randall advised that they meet at 1:00 p.m. on the second Tuesday of every month in the City Hall Administrative Conference Room.

Ski Ingram, former member of the Veterans Advisory Committee and Vietnam Veteran, last as a Green Beret, mentioned that he is a life member of the American Legion, Veterans of Foreign Wars, Vietnam Veterans of America and Disabled Veterans of America. Currently, he is Area 4 Commander of the American Legion and writes a monthly article in the Senior Sampler regarding veterans. He does not know of any veteran who wants something for free - all they want to do is serve and give back to America. Disabled veterans do get some benefits; however, he does not feel the City should give discounts. American Legion Post 90, on May 25th at 6:00 p.m. is going to honor Jerry Olsen from the Veterans Home, Commander Marty Bigby and Joe Hamblin who performed a heroic act on North Bluff preventing damage to citizens in the community.

AWARD OF BID:

Consider award of bid for the high density mineral bond overlay project for parking lots and trails within the City.

Purchasing Manager Connie Hood advised that the recommendation is to award the bid to Holbrook Asphalt for coating and restriping of eleven parking lots and five miles of trails in the amount of \$163,002. There is a schedule of the trails and parking lots that will be done, based upon the need. She mentioned some of the trails.

MOTION: A motion was made by Councilmember Randall to award the bid to Holbrook Asphalt Inc for the high density mineral bond overlay project in the amount of \$163,002.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for a new 2015 MV-1 paratransit van for SunTran.

Purchasing Manager Connie Hood explained this van will be purchased using the Government Services Administration contract in the amount of \$51,558. The van has well needed equipment.

Support Services Director Marc Mortensen advised FTA funds will cover 80%, this cost is the City's portion.

MOTION: A motion was made by Councilmember Hughes to award the bid for the paratransit van in the amount of \$51,558.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for a storage shed at the Reuse Center.

Purchasing Manager Connie Hood advised the request is to purchase 40 x 200 shed from Wells Custom Construction in the amount of \$91,027.45.

Support Services Director Marc Mortensen explained that part of the reason to purchase this shed is because of the new Fleet facility. Part of the cost, \$77,000 from Streets and \$15,000 out of proceeds from approved amount for Fleet building.

MOTION: A motion was made by Councilmember Arial to award the bid for the Streets storage shed at the Reuse Center in the amount of \$91,027.45
SECOND: The motion was seconded by Councilmember Hughes.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for the Recreation Center re-roofing project.

Purchasing Manager Connie Hood advised although the bid was sent to two vendors, only one bid was received - Stout Roofing in the amount of \$140,170.

MOTION: A motion was made by Councilmember Randall to award the bid to Stout Roofing for the Recreation re-roofing project in the amount of \$140,170.

SECOND: The motion was seconded by Councilmember Baca.

After Councilmember Hughes asked if other vendors were contacted, Purchasing Manager Connie Hood mentioned that she contacted Noorda, but they were too busy. Typically, if only one bid is received staff has the option to re-bid the project; however in this case, because of time constraints, it was decided to go with the bidder.

Support Services Director Marc Mortensen added that two local companies provide the materials required on the buildings. Given the complexity of the job, the bid is right in line with what anyone would bid per square foot.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

CDBG 2016 UPDATE:

Update on the HUD - Community Development Block Grant (CDBG) program activities for 2016.

Economic & Housing Development Director Matt Loo introduced Erich Chatham, the City's CDGB consultant, who was referred by the HUD office in Denver.

Mr. Chatham explained that a consolidated plan is required every five years that identifies the needs of the community and the best uses and goals of the program. The City completed the plan in 2014; however, HUD has asked for revisions. He mentioned that they assisted with preparing the annual action plan. He presented a PowerPoint presentation covering the following topics: What is a Consolidated Plan?; Citizen Participation Events; Consolidated Plan: Priority Needs; Consolidated Plan: Goals; Annual Action Plan: CDBG Projects & Funding; and HUD Submission. The annual entitlement decreased; however, significant program income has been receipted over the past twelve months due to repayment of down payment assistance when homes were sold. He mentioned a workshop they hosted in March; applications were submitted in April.

Mr. Loo added that there is a grading process outlined by HUD. They are currently in the process of grading the applications and will bring the requests to the City Council and City Manager for review and approval.

Mr. Chatham explained to qualify for assistance, HUD requirement is 80% of the area median income and is adjusted for the household size. That information is included in the plan and will be posted on the City's website once approved.

PUBLIC HEARING/FINAL PLAT AMENDMENT/ORDINANCE:

Public hearing to consider amending the final plat for Stone Cliff Subdivision Phase 13 Amended. Kay Traveller, applicant.

Assistant Public Works Director Wes Jenkins presented the request for a final plat amendment for the Stone Cliff Subdivision Phase 13 Amended. He showed and reviewed the final plat and proposed amendments.

Mayor Pike opened the public hearing. There being no comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Hughes to approve the final plat amendment for Stone Cliff Subdivision Phase 13 Amended and Extended.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/PD-C AMENDMENT/ORDINANCE:

Public hearing to consider amending the Planned Development Commercial Subdivisions Boulder Creek Commons and Boulder Creek Crossing commercial center sites, located at the intersection of 1450 South Street and River Road, by adding a master sign plan. Steven Sheffield, applicant.

Planner Ray Snyder presented the request to amend the PD-C subdivisions for Boulder Creek Commons and Boulder Creek Crossing. He presented a PowerPoint presentation covering the following topics: summary of the request; zoning map; overall site plan; aerial map; comparison chart; east side site plan; renderings of the proposed signs; west side site plan; comparison chart; additional renderings of the proposed signs. Although the Council approved a 10' sign, Rite Aid is now requesting a 15' sign and to be considered as part of this master sign plan. He showed nearby comparisons; radius listing (letter mailing) and read portions of the ordinance pertaining to master sign plans in a Planned Development and comments as follows:

1. Master Sign Plan – This plan consists of a site plan and elevation details for the proposed different categories of signs (pylon, monument, etc.) and their overall heights and widths.
2. Site Plan - A 'site plan' has been provided which shows the locations of proposed signs (e.g. A, B, C).
3. Roadway - All of the proposed commercial development(s) are located on "Non-Major Commercial Street" per the sign ordinance unless a master sign plan is approved, the maximum height would be limited to ten feet (10') high.
4. Freestanding - The size of all freestanding signs (monument, pylon, etc.) is determined by linear footage.
5. Easements - The proposed freestanding signs will all be located in an easement or common area (to be determined per development agreement).
6. Pylon Sign – West – The applicant is asking for one (1) thirty foot (30') high pylon sign.
7. Pylon Signs – East – The applicant is asking for two (2) thirty-one foot (31') high pylon signs.
8. Monument Signs – West – The applicant is asking for six (6) monument signs at 9 ½ ft. high.
9. Monument Signs – East - The applicant is asking for six (6) monument signs at 9 ½ ft. high.

10. Low Profile Center ID – The applicant is asking for one (1) low profile Center ID monument sign at 13.3 ft. high. This is similar to what IHC has on the corner of River Road and Foremaster.
11. Animation – Animated signs shall not be allowed on property adjacent to residential and may not be appropriate for the pylon sign.
12. Frontages – The applicant will have to provide linear distances for each site.
13. Building Signs – This plan does not address signs located on buildings; building signs are subject to staff review as a part of submitted sign permit applications and must follow the requirements of the sign ordinance.
14. Future Commercial – It is recommended that the area shown as “Future Commercial Conceptual Layout” be removed from the master sign plan.
15. Rite Aid – The City Council approved a ten foot (10') monument sign as part of a recent zone change amendment; however, Rite Aid returned and asked for a 15 ft. sign to be considered as a part of this master sign plan. At the Planning Commission meeting, a revised request for 13 feet was presented by the applicant.

Additionally, he stated that the Planning Commission recommended approval with the following conditions:

1. Master Sign Plan – This plan consists of a site plan and elevation details for the proposed different categories of signs (pylon, monument, etc.) and their overall heights and widths.
2. Site Plan - A 'site plan' has been provided which shows the locations of proposed signs (e.g. A, B, C).
3. Roadway - All of the proposed commercial development(s) are located on “Non-Major Commercial Street” per the Sign Ordinance unless a master sign plan is approved, the maximum height would be limited to ten feet (10') high.
4. Freestanding - The size of all freestanding signs (monument, pylon, etc.) shall be determined by linear footage.
5. Easements - The proposed 'center' freestanding signs (pylons) will be located in either a common area or in an easement to be determined per development agreement and/or CC&R's controlled by the Property Owner Association. The applicant shall provide a copy to the City Attorney's office for review and approval.
6. Design – All signs (A, B, C) shall have a common and consistent look and design, color, stone, etc.

7. Sight Distance – no signs shall block vehicle sight distances.
8. Pylon Sign – West – Approve one (1) thirty foot (30') high pylon sign 'A',
9. Pylon Signs – East – Approve two pylon signs: 1) one sign being a thirty-one foot (31') high pylon signs 'C' and 2) one at 70% height of the first pylon sign (21.7 feet) 'C'.
10. Monument Signs – West – Approve six (6) monument signs 'B' at 9 ½ ft. high.
11. Monument Signs – East – Approve six (6) monument signs 'B' at 9 ½ ft. high.
12. Low Profile Center ID – East – Approve for one (1) low profile Center ID monument sign 'A' at 13.3 ft. high. This sign will be similar to what IHC has on the corner of River Road and Foremaster.
13. Animation – Animated signs shall not be allowed on property adjacent to residential. Any electronic message sign on a pylon sign shall face away from residential homes.

City Attorney Shawn Guzman clarified that this is a residential zone – they are not just looking at houses.

Planning and Zoning Manager John Willis further clarified that on the zoning map, which lots are adjacent to residential zoning. The code is fairly specific regarding animated signs adjacent to residential zoning.

14. EMS (electronic message sign)- East Side – The applicant has agreed to limit electronic reader boards to only three (3) locations on the east side; 1) one on only one of the 'B' signs on 1450 South, note - none on 'C' pylon on 1450 South, 2) one on sign 'A' on the corner of 1450 South & River Road and 3) one on sign 'C' pylon on River Road.
15. EMS (electronic message sign)- West Side – The applicant has agreed to limit electronic reader boards to only three (3) locations on the west side; 1) Rite Aid sign, 2) sign 'A' pylon, and 3) on one of the 'B' signs on River Road.
16. Frontages – The applicant will have to provide linear distances for each site.
17. Building Signs – This plan does not address signs located on buildings; building signs are subject to staff review as a part of submitted sign permit applications and must follow the requirements of the sign ordinance.
18. Future Commercial – It is recommended that the area shown as "Future Commercial Conceptual Layout" be removed from the Master Sign Plan.

19. Rite Aid – The City Council approved a ten foot (10') monument sign as part of a recent zone change amendment; however, Rite Aid is asking for a 13 ft. sign to instead be considered as a part of this master sign plan. At the Planning Commission meeting, a revised request for 13 feet was presented by the applicant and the Planning Commission recommends approval.

Mr. Snyder mentioned that Mr. Sheffield contacted him today regarding commercial signs along Bluff Street. River Road is considered a major commercial street until 700 South. Additionally, he read an email received regarding connectivity and outlined where and what type of signs would be placed.

City Attorney Shawn Guzman inquired about the car wash on the west side; he asked if their sign is included.

Mr. Snyder replied that they are showing two signs on the west side; when the car wash was approved, signs were not discussed. At this point, signs have not been requested specifically for the car wash. He mentioned that the Rite Aid sign does not appear to be animated. When discussed at the Planning Commission meeting, animated pylon signs would have to face away from residences. He read the portion of the ordinance pertaining to distances for animated signs, which does not mention distances.

City Attorney Shawn Guzman explained these items are recommendations from the Planning Commission. In theory, they could have a pylon sign including an electronic message board on the open space area that is not adjacent to a residential zone and it could be facing a residential home on the west side.

Assistant City Attorney Victoria Hales advised that the Planning Commission did not focus on the property being adjacent to residential because they were looking at the front of the lot, not the back. There is one lot on the east side; that entire lot is adjacent to residential. Under the sign code, an electronic message sign would not be allowed on the east side; but they would be allowed on two lots on the west side as the car wash and lot 7 do not abut residential zoning.

Mike Sheffield, applicant, stated that although this is a complicated and complex item, they are excited to work out any issues. Regarding major commercial versus not major commercial roads, he asked at what point is a road deemed major commercial. They will have over 200,000 sq. ft. of business, which to him is a major commercial zone. If not major commercial, why can they only have right in and right outs? He mentioned three images he emailed the other day, which the Council did not receive. The images show other areas of the City with pole signs within feet of each other. Electronic reader boards will be angled toward the intersection, not towards homes or residences.

Steve Davis with Rainbow Sign and Banner noted that there are several streets deemed major commercial, which allow 30' pylon or pole signs. The sign code states that when a street has 70% or more of its frontage zoned commercial, the City Council shall consider designating such street as a major commercial street.

Councilmember Baca inquired about the Rite Aid sign.

Mr. Sheffield explained that the sign is being reduced to 13' sign and will be an electronic sign. The signs for the car wash are included in tonight's proposal – they

will have one out front and one along the side of their property which will be for the buildings behind. He mentioned that the Rite Aid sign on the corner of 1450 South and River Road; which was missing on the map.

Mayor Pike asked staff how a street is deemed a major commercial street.

City Attorney Shawn Guzman he explained that this has been done twice before with Mall Drive and River Road. With any change to commercial property along that way, if the entire length of the road is designated major commercial, a taller sign can be requested. The request to deem a street as major commercial would have to be put on a City Council agenda for approval. Staff can be directed to look at other areas of the City that may be developed and do them all at the same time. He mentioned that the road does not have to be contiguous.

Mr. Snyder explained that one of the signs proposed by the car wash cannot legally be done since it would be an off premise sign as it is on another lot.

Mr. Willis stated that staff considered major commercial on Mall Drive; however, most of the zoning is coming in as Planned Development which allows the Council to review each sign.

City Attorney Shawn Guzman clarified that Lin's was not adjacent to a residential zone. If there is a specific provision of the law, it holds over a general provision. He pointed out that Jiffy Lube has an electronic reader board and asked if that was requested or if the message was just put on the bottom of a monument sign.

Assistant City Attorney Victoria Hales stated that staff will look into that. City code 10-8-6(D) states that the requirements of the sign ordinance set forth in Title 9, Chapter 13 of the code shall apply in a PD zone, which is a specific provision. The specific provision in the sign code is 9-13-4(B)(1)(e) which states that animated signs are permitted only in commercial zones; however, no animated sign shall be allowed on property adjacent to a residential zone. The code does not talk about which way a sign phases; however, it is not relevant to the code. Some of the graphics provided by Mr. Sheffield tonight are on major commercial streets allowed under prior sign ordinances. She added that the property south of Lin's is currently zoned Agricultural. If the zoning changes, they can request an amendment to their PD.

Mayor Pike opened the public hearing.

Resident EJ Arlidge stated that in Utah, city governments were organized as theological governments; a lot of the laws have taken that general tone. The Mayor and Council have the absolute power to determine what a major commercial zone is and what is not. Staff has done a good job of reading bits and pieces of the sign ordinance. He read the definition of lights and lighted signs as stated in City code 9-13-7. There are 60+ homes overlooking this project; he can see the entire project from his back porch. Today learned that there is an item on the agenda regarding the restaurant; which will not be facing River Road. He mentioned that he has spoken to Code Enforcement Officers regarding the numerous nuisance lights in their area. Additionally, he mentioned that he has been developing commercial property all his life - he is for development but this is a unique property as there are homes above. He then read portions of the sign ordinance pertaining to which roads are major commercial zones and requested the Council table the item for further investigation.

Resident Lorri Kosinski-Puchlik stated that she is pro-business and community friendly. She invested many hours shaping the current sign ordinance; which was a compromise to be business friendly and aesthetically pleasing. The original intent of the sign ordinance was to balance the aesthetics of the community. Tall signs are allowed; however, they are not needed in residential zones. She presented a PowerPoint presentation covering the following topics: aerial map of the area; aerial map of River Road; photos of the 700 South Harmon's signs; Cache Valley Bank sign. She mentioned the signs at Dixie Regional Medical Center; they could have had additional signs, but they chose not to. Jiffy Lube and Maverik have been successful with low profile monument signs. She showed samples of signs for the Sandstone Business Center; Sunset Corner; Town Square; Santa Clara Dental; Rio Plaza; Photos of the businesses in Rio Plaza; Intermountain Sunset Clinic; Dixie Sunset Plaza; Professional Office Building example; Sun River Professional Plaza; Southwest Community Credit Union on Sunset; Fort Knox Plaza; and photos of the area. A Planned Development is usually restrictive, when it comes to aesthetics. In this case, the Planned Development designation is being used to sidestep the intent of the current sign ordinance to allow taller signage than would be allowed on a non-major commercial street. She asked how Maverik and Jiffy Lube will feel knowing that the developer who sold them their land has taller signs than they do. Although she is in favor of the development, she is not in favor of the 30' signs. She requested the Council give the applicant what would be given if this were not a Planned Development.

Resident Hal Hickman asked that the Council not take action at this time. Steve Sheffield stated that he wanted to plan a neighborhood shopping center, but this development is nowhere near a major commercial store such as Target or Walmart. Residents along the hillside are blinded by the signs currently in place.

Mr. Sheffield reiterated that he is a member of this community and cares about how it looks. Every sign that was placed was done so on and with purpose – the intent is not to cause harm or block views. The proposed sign will be of lower elevation than the Remax building across the River. He agrees wholeheartedly regarding signs advertising multiple businesses. As mentioned, this is a unique opportunity to do something special. They have added an incredible amount of stone and steel to make this a beautiful and modern addition. The Sunset Corner sign represents 10 businesses; their 30' sign will advertise only a few tenants. They are requesting the pylon signs to represent their tenants well. Significant efforts have been put into this project; he believes it meets the needs of the area. It is his opinion that action should be taken and requested the item not be tabled. Because the plan for the entire project was requested, there are a lot of signs being discussed. Currently there are pole signs are throughout the area, they only want a handful as their major tenants want the visibility. The Lin's signs are 40' and are closer to homes than their signs will be. Each day, approximately 35,000 cars drive through the area. With all of the elevation and height studies, the proposed signs and buildings are not in the view corridor of homes.

Mr. Arlidge added that the developer has failed to hear what the residents are saying. They are concerned with light pollution, not blocking their views.

Resident Joshua Puchlik added that they were talking about the signage; but the light pollution should be looked at as well. The sign does not need to be larger than the building; all that does is advertise to the homes above. He drives a smaller car, with that the roof height prevents him from seeing taller signs. He suggests better signage on the buildings themselves.

Resident Jeff Weaver mentioned that at 40 mph, he needs more time to decide where to turn. He believes the sign needs to be higher to be able to see it from a distance.

Mayor Pike closed the public hearing.

Mayor Pike explained that the Council can proceed with what has been presented or with modifications as this is a PD-C zone. He asked the Council to keep in mind the ordinance, specific versus general requirements. If they are concerned with the status of this portion of River Road defined a non-major commercial segment, they can table the item and request staff to gather info about designating this segment as a major commercial road.

City Attorney Shawn Guzman clarified the ordinance states that when a street has 70% or more of its frontage zoned for commercial use, the City Council shall consider it. It does not preclude the Council from considering it prior to that.

Councilmember Baca commented that this is a PD-C and he has not seen sufficient evidence for this segment to be considered a major commercial street at this point. He would not support pylon signs for this particular area. He then suggested tabling the request or denying the requested 30' signs.

Assistant City Attorney Victoria Hales added that specific provision says that the commercial code sign provisions apply. At the very least, it is a strong indicator of what would and would not be appropriate in a PD zone; however, the Council has some latitude based on the general provisions in the PD provisions of the code.

City Attorney Shawn Guzman stated that location of the signs is important as the proposal is to subdivide some of the lots after which they would not be adjacent to residential zoning.

Assistant City Attorney Victoria Hales reviewed which lots would and would not be adjacent to residential zoning. Major commercial is another issue that has not yet been requested.

A discussion took place regarding the placement of the electronic message boards.

Councilmember Arial asked about the businesses they are trying to attract to this area.

Mr. Sheffield stated that they have a letter of intent from a grocery store on the east side and the Rite Aid store on the west side. The next phase will include a large anchor tenant who will most likely want the same treatment. He personally believes that a precedent has been set with Lin's with a 40' sign; they do not want that – they are compromising with a 30' sign.

Mayor Pike noted that the Lin's on 3000 East and Mall Drive has been designated a major commercial center.

Mr. Sheffield asked that the Council address that issue tonight.

City Attorney Shawn Guzman explained that the request would have to be an item on an agenda.

Councilmember Randall commented that she is not in favor of changing this area to major commercial while Councilmember Bowcutt commented that he is.

Mr. Sheffield asked the monuments signs be approved tonight– he will then work with staff on the others.

Mayor Pike stated that tonight, the Council can approve or deny signs as they see fit.

Councilmember Randall mentioned the letter of intent from the grocery store requiring a 30' pylon sign and Rite Aid, who is also an anchor store, is not requesting one that high; therefore, the anchor store in the next phase may not request one either.

Mr. Sheffield explained there are many more uses for a pylon sign. It serves a purpose and use for the entire development.

City Attorney Shawn Guzman advised that the applicant would have to return for an amendment to the PD if the Council does not approve the request as presented. He mentioned that the plan shows an off premises sign that would have to be corrected. The Council can say how many electronic reader boards they would allow.

Councilmember Hughes commented that patrons enter where signs are. He stated that is not opposed to the number of signs. It seems that everything on this project has been a stick in the eye to the residents. This will be a good project; a 30' sign will not make a difference and does not know there is a need for six of them. He is okay to approve the monument signs; however, the 30' and electronic signs are a bit much.

Mr. Sheffield asked the Council to approve the monument signs and allow them to work toward an amendment for the pylon signs. He would also like to have an action plan to have this area be designated as a major commercial.

Mayor Pike asked the Council if they would like to table the request. If not, he asked them to formulate an approval.

Mr. Hickman commented that he does not believe the Council should let any anchor store determine policy.

MOTION: A motion was made by Councilmember Arial to approve the monument signs as has been presented with the exclusion of the pylon and electronic signs as well as the signs not on site and signs adjacent to residential areas.

SECOND: The motion was seconded by Councilmember Baca.

Mayor Pike asked Councilmember Arial to clarify the portion regarding electronic signs.

Councilmember Arial stated that they are not approved in this motion; they will be discussed with the pylon signs.

City Attorney Shawn Guzman commented that the only concern on the residential zone is the electronic signs. Pylon and electric signs are excluded, which means the Council would be approving the number of monuments signs as proposed.

Councilmember Bowcutt inquired about the reader board at the southeast corner.

Councilmembers Hughes and Bowcutt stated that is an appropriate location for a reader board.

Councilmember Arial stated that she does not have a problem with adding that to her motion.

City Attorney Shawn Guzman commented that is one lot. If that is the case, the southeast corner would be adjacent to a residential zone.

Mr. Sheffield advised regarding the off premises sign, their attorney does not see why through an easement, that lot cannot have two signs.

City Attorney Shawn Guzman stated that he would be happy to discuss that with his attorney. All of the ins and outs cannot be discussed on how to make that sign legal tonight; as proposed, it is not legal.

Mr. Sheffield noted that the Rite Aid 13' sign is not represented on the map and it does include a reader board near the bottom.

City Attorney Shawn Guzman pointed out that the sign would adjacent to residential zoning.

Mayor Pike noted that no electronic reader boards were approved in this motion.

Councilmembers Arial and Baca agreed.

Mr. Snyder explained there are a total of 12 monument signs plus Rite Aid's sign.

Mayor Pike clarified that the motion would approve the Rite Aid sign without the electric reader at this point.

Councilmember Arial agreed as did Councilmember Baca.

Councilmember Bowcutt asked the Sheffields if this motion will work or if they would rather table it.

Mr. Sheffield asked that they be allowed to move forward with the monument plan and to include Rite Aid's sign. Further, he asked the Council to address the potential to designate this area as major commercial.

Mayor Pike advised that is not part of the motion, but staff can be directed to address that.

Councilmember Arial explained that this motion is addressing the needs of the citizens. Additionally, she recognized the developer's efforts; this is a compromise.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

The consensus of the Council is to direct staff to look at areas throughout the City to look into the major commercial street designations and bring their recommendations to a work meeting.

A discussion took place regarding the fact that even if an area is designated major commercial, the Council can still deny 30' signs in a PD.

Mayor Pike called for a recess.

PUBLIC HEARING/PD-C AMENDMENT/ORDINANCE:

Public hearing to consider amending the Boulder Creek Crossing Planned Development Commercial Subdivision by amending lot 1 located on the west side of River Road in the vicinity of Bundy Lane to allow for the development of a Stevens Henager College and professional office building. Steven Sheffield, applicant.

Planner Ray Snyder presented the request to amend the Boulder Creek Crossing Planned Development Commercial Subdivision by amending lot 1. He presented a

PowerPoint presentation covering the following topics: summary of the request; zoning map; conceptual site plan; site plan; final plat map; list of uses; aerial and site maps; photos of the area; site plan (landscape plan); and cross section. He mentioned that the letter that he read on the previous item pertaining to sidewalks, trails and circulation would apply to this request also. He then reviewed the proposed wall along Bundy Lane and the landscaping plans. Planning Commission recommends approval with the following conditions and comments:

1. Zoning - Approve the PD-C zone change amendment on 1.40 acres.
2. Uses – This use (professional office/college) is in harmony with the previously approved uses list for 'Boulder Creek Crossing' on 10.83 acres (*Case No. 2015-ZC-017 approved by City Council on 8/6/2015*). This list includes 'Educational institutions, schools, college, learning center, trade school'.
3. Site Plan – The conceptual layout as presented is approved.
4. Colors & Materials – As presented the colors and materials are recommended for approval.

5. Wall – It is recommended that a wall be installed by Bundy Lane for safety, aesthetics, and separation from the commercial development.
6. Sight Distance – A safe sight distance shall be provided that so no wall or vegetation blocks vehicular sight distance as existing or entering Bundy Lane and River Road.
7. Road Improvements – The applicant shall design and install to the satisfaction of the Public Works department the improvements along the project's frontage on River Road (asphalt structural section, curb, gutter, and sidewalk).
8. Setbacks – Setbacks shall meet the Zoning Ordinance (*staff will confirm during the SPR process*).
9. Impervious Surface – The applicant shall pave as required all surfaces for drive ways and parking.
10. Landscaping – The applicant shall provide landscaping along River Road in compliance with the Landscape Ordinance (10-25).
11. Lighting – Provide a photometric plan with submittal of the SPR and demonstrate that lighting will not exceed 1 ft candle at property line and not exceed 20 ft candle on site. Dark sky style lighting fixtures shall be used to avoid a nuisance as seen from adjacent residential neighborhoods and surrounding community.
12. Final Plat – This project is subject to Final Plat approval and recording and to the satisfaction of the City Attorney's Office.
13. SPR – Upon approval of the zone change, the applicant shall submit an application for a SPR (Site Plan Review) along with the required civil engineering plan set which may include but not be limited to: cover sheet, site plan, grading plan, erosion control plan, utility plan, landscape plan, irrigation plan, and photometric plan.

Further, he mentioned that a 6' solid masonry wall adjacent to residential (west side) and a 10' buffer landscape. No building permits will be provided until the plat records. Each use must have a specific package and any new use must conform to the approved uses.

A discussion took place regarding the letter received mentioned sidewalks and connectivity as mentioned.

Planning & Zoning Manager John Willis mentioned that there are no ordinances to address internal circulation for pedestrian.

City Attorney Shawn Guzman advised traffic also includes pedestrian safety. Most projects are being designed to meet requirements. Additionally, he mentioned that in some areas trails are considered to be landscaping.

Mayor Pike added that staff can work with the developer on this issue.

Support Services Director Marc Mortensen mentioned that he, Assistant Public Works Director Wes Jenkins and Mr. Willis have discussed this issue. They plan on putting a group together to discuss this issue for future developments and to work on an ordinance to allow for greater attention to these details.

Mayor Pike opened the public hearing. There being no comment, he closed the public hearing.

Applicant Mike Sheffield stated that they are excited about this opportunity. They have already spoken with their designers and engineers to incorporate some of these concepts. The challenge is the elevation of River Road as it starts to incline near the Stevens Henager pad. The height and the building itself have been compressed as much as possible to be a minimal impact. He explained that the height of the building is 29 1/2' with one section in the middle at 33 1/2'. After recent conversations with nearby residents, they are happy with moving forward with a 6' block wall. They are working with planning staff to make sure the viewable distance from the intersection is appropriately placed.

Councilmember Bowcutt mentioned that he has visited the property – the wall is not blocking any views.

Mr. Snyder outlined what staff will require during the site plan review with regard to the wall. He wanted to make sure the applicant was aware.

Mr. Sheffield stated that he was aware. They have installed a drain and are working with several residents to discuss resurfacing the road.

Assistant Public Works Director Wes Jenkins mentioned that Bundy Lane is an 18-20' road. It is an existing non-conforming road.

City Attorney Shawn Guzman explained that if a permit was pulled on a private roadway, they would have to install the improvements to current standards. This roadway has been there for a long time. He does not know if this is the right time to do that.

Mr. Sheffield commented that the road was placed on their property. Now that the caliche is removed, the intersection arches and meets with the base of the wall trajectory. It is thinner now; however, it is their property.

City Attorney Shawn Guzman noted that if the roadway was narrowed, it would be a concern. He does not know if the property ownership and the traffic make a difference.

MOTION: A motion was made by Councilmember Arial to amend the Boulder Creek Crossing Planned Development Commercial Subdivision by amending lot 1 located on the west side of River Road near Bundy Lane to allow for the development of Stevens Henager College and professional office building, adding that the 6' wall be placed between Stevens Henager and the residential neighborhood, that drainage be put in the wall, and that Bundy Lane be paved and finished off so that it looks nice.

SECOND: The motion was seconded by Councilmember Bowcutt with the stipulation that the arrangement for paving the road would be between the residents of Bundy Lane and Mr. Sheffield.

Councilmember Arial agreed; however, she would like Mr. Sheffield to pay the cost to pave the road. Also, they need to comply with the terms and condition of Planning Commission.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/PD-C AMENDMENT/ORIDNANCE:

Public hearing to consider amending the Boulder Creek Crossing Planned Development Commercial Subdivision by amending lot 6 to allow for the development of a restaurant building. Steven Sheffield, applicant.

Planner Ray Snyder presented the request to amend the Boulder Creek Crossing Planned Development Commercial Subdivision by amending lot 6. He presented a PowerPoint presentation covering the following topics: summary of the request; zoning map; aerial map; lot 6 final plat; overall site plan; close-up/site plan/building & outside dining courtyard areas; overall conceptual landscape plan; close-up conceptual landscape plan; elevations. He mentioned the letter he read earlier regarding the walkability and connections which also applies to this request. Planning Commission recommends approval with the following conditions and comments:

1. Zoning - Approve the PD-C zone change amendment on 1.04 acres (of a 9 lot commercial subdivision – Boulder Creek Crossing).
2. Uses – It is found that this use is in harmony with the previously approved uses list for 'Boulder Creek Crossing' on 10.83 acres (*Case No. 2015-ZC-017 approved by City Council on 8/6/2015*). This list includes 'restaurants'.
3. Site Plan – The conceptual layout as presented is approved.
4. Colors & Materials – As presented the colors and materials are recommended for approval.
5. Road Improvements – The applicant shall design and install to the satisfaction of the Public Works department the improvements along the project's frontage on River Road (*including the asphalt structural section, curb, gutter, and sidewalk*).

6. Setbacks – Setbacks shall meet the Zoning Ordinance (*staff will confirm during the SPR process*).
7. Outdoor Dining Canopies – The applicant will have to remove the outside dining canopies as shown on the site plan and elevations. They cannot encroach into the front building setback area. The 4 ft. high courtyard walls shown are permitted. Note that the applicant may install small / limited canopies and other ornamental features attached to the building which project into the yard not more than 4 ft. (Section 10-14-9.A).
8. Impervious Surface – The applicant shall pave as required all surfaces for drive ways and parking.
9. Landscaping – The applicant shall provide landscaping along River Road in compliance with the Landscape Ordinance (10-25).
10. Lighting – Provide a photometric plan with submittal of the SPR and demonstrate that lighting will not exceed 1 ft candle at property line and not exceed 15 ft candle on site. Dark sky style lighting fixtures shall be used to avoid a nuisance as seen from adjacent residential neighborhoods and surrounding community.
11. Final Plat – This project is subject to Final Plat approval and recording. Subject to the satisfaction of the City Attorney's Office.
12. SPR – Upon approval of the zone change, the applicant shall submit an application for a SPR (Site Plan Review) along with the required civil engineering plan set which may include but not be limited to: cover sheet, site plan, grading plan, erosion control plan, utility plan, landscape plan, irrigation plan, and photometric plan.

Mayor Pike opened the public hearing. There being no comment, he closed the public hearing.

MOTION: A motion was made by Councilmember Bowcutt to approve the ordinance amending the Boulder Creek Crossing Planned Development Commercial Subdivision by amending lot 6 to allow for the development of a restaurant building subject to the findings of staff and the recommendations and findings of the Planning Commission.

SECOND: The motion was seconded by Councilmember Baca.

Councilmember Bowcutt added to address the pedestrian issues possibly with the serpentine sidewalk.

Councilmember Baca agreed.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider changing the zone on approximately 106.478 acres generally located at the southwest corner of the intersection of Seegmiller Drive and 3000 East Street from A-1 (Agricultural) to R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size). Development Solutions Group, applicant.

Planning & Zoning Manager John Willis presented the request for a zone change for property generally located at the southwest corner of Seegmiller Drive and 3000 East Street. He presented a PowerPoint presentation covering the following topics: aerial map; general plan map; zoning map; zone change original submittal; updated request; equestrian buffer; example of buffer on other projects and photos of the property. There were quite a few comments from residents at the Planning Commission meeting. Originally, the applicant proposed R-1-10 on portions of the property; however, they modified their request to zone these portions R-1-12. Based upon that modification, the Planning Commission recommended approval.

Mayor Pike opened the public hearing.

Resident Maureen Martindale mentioned that the general plan provision 6.8 talks about wanting a lower density in the Little Valley area. They are concerned that there is an equestrian area and with George Washington Academy, the traffic is very heavy. She mentioned that Seegmiller Farm is busy on weekends. This is the last piece of agricultural land as everything south is residential – they would like to see it preserved. The idea of putting high density with a large amount of animals nearby seems to be a problem. She asked if the area is ready for this density as there would be a need for additional police officers and firefighters. Additionally, there are concerns with drainage issues and open ditches with standing water. She asked they look at a variety of lot sizes.

Mayor Pike commented that the Council would share some of the concerns mentioned. He is concerned about Canal Road.

Gail Carter, adjacent property owner, stated that his concern is that he has horses. Property owners have rights; but those that move into agricultural areas with open space are okay until summer hits with flies and odors. Even though there are signs posted regarding agricultural areas, it does not stop complaints. He would like protection as what happened to him in Bloomington several years ago was unpleasant to deal with. The 100' buffer is not required on the entire property. Additionally, he is also concerned with the proposed density.

Mayor Pike closed the public hearing.

Councilmember Baca commented that the issue of maintaining agricultural areas is never an easy resolution.

Councilmember Hughes mentioned that he is concerned with this creating an island in the area.

Mr. Carter commented that he was the only property owner that received a notice. The neighbors adjacent to him are just as concerned as he is, but were not notified of the meeting due to the 500 feet requirement.

Mayor Pike shares in the concern with regard to the buffer zone.

Councilmember Hughes explained that the buffer zone will help. He liked the suggestion of a mix of density, maybe having the larger lots along Little Valley Road.

Stacy Young, representative for the applicant, explained that it is hard to determine the mix at this stage. The layout will be addressed during the preliminary plat process. They initially proposed R-1-10 as they wanted greater flexibility to offer a wider range of lot sizes. The R-1-12 zone does not allow for lot size averaging.

Councilmember Baca noted that there was already a compromise of sorts as the original request for R-1-10 is now R-1-12.

Councilmember Hughes commented that he does not see an issue with having R-1-10 mixed in if the same buffer is there and the density is not increased.

Mayor Pike mentioned that he is not sure why more of a buffer would not be required along Dr. Carter's property.

Mr. Young explained that developers look at the general plan to see the long term plan. They do not propose any given buffer; however, they can address the that during the preliminary plat process, possibly creating a 100' buffer along that boundary as they did other subdivisions in that area.

City Attorney Shawn Guzman advised if the motion is to approve the request, it needs to specify the location of the buffer zone that the applicant's representative has voluntarily agreed to.

- MOTION:** A motion was made by Councilmember Baca to approve the zone change on 106.478 acres from A-1 to R-1-12 with the stipulation that the buffer zones will be expanded upon as discussed.
- SECOND:** The motion was seconded by Councilmember Bowcutt.

City Attorney Shawn Guzman mentioned that the applicant offered to put the buffer zone in; however, the area needs to be identified. The applicant would have to agree to the specific location.

Mr. Willis pointed out the location of the additional buffer zone on the screen.

Mr. Young agreed to the location.

Mr. Willis described the additional buffer will be along the existing A-1 zone – the northwest corner.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

Mayor Pike added that “right to farm area” needs to be noted on the plats.

IMPACT FEE CREDITS/RESOLUTION:

Consider approval of a resolution regarding impact fee credits to Suburban Land Reserve.

City Attorney Shawn Guzman reminded the Council that the City entered into a development agreement with Suburban Land Reserve (SLR) for the development of the Mall Drive roadway adjacent to the Fields at Mall Drive, up to the bridge. As part of the agreement, SLR contributed \$793,000 for the construction of the project in exchange for impact fee credits. The resolution as required and agreed to memorialized that they have \$693,438.35 worth of impact fee credits for City imposed impact fees. There are other stipulations on the fees that are included in the agreement.

MOTION: A motion was made by Councilmember Randall to approve the resolution regarding impact fee credits to Suburban Land Reserve.

SECOND: The motion was seconded by Councilmember Baca.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

RESOLUTION:

Consider approval of a resolution requesting that the Washington County Commission place HB 362 on the ballot in the November, 2016 election.

Mayor Pike explained that this resolution passed last year and is to communicate with the County Commission that the City would like to see the .25% local option general sales tax option, dedicated to transportation and transit, be put on the ballot this election cycle. The resolution is not saying that the City is favor of the tax rather it is asking the County to put it on the ballot. It was not put on the ballot last year since it would cost extra since it was not a County-wide election. He put this request on the agenda because the DTEC asked cities to consider this resolution.

Councilmember Baca commented that if voters decide this tax is desirable, some of the roads in need of improvements can be taken care of.

MOTION: A motion was made by Councilmember Arial to approve the resolution requesting that the Washington County Commission place HB 362 on the ballot in the November, 2016 election.

SECOND: The motion was seconded by Councilmember Bowcutt.

Mayor Pike explained that HB 362 was passed by the State Legislature and signed by Governor Herbert allows local governments, with the approval of the voters, to impose a .25% local option general sales tax option dedicated to transportation.

Councilmember Arial added that although none of us like taxes, roads cannot be maintained and transportation needs may not be met without this type of funding.

City Attorney Shawn Guzman clarified that HB 362 was passed by the Legislature in 2015.

Mayor Pike commented that voters should be provided with as much information as possible in terms of what this tax would mean.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

SET PUBLIC HEARINGS:

Planner Ray Snyder stated that at their meeting held on April 26, 2016, the Planning Commission recommended setting public hearings on May 19, 2016 to consider: A) a request to rezone approximately 10.12 acres located adjacent to the Bloomington Golf Course from Open Space to R-1-10 and B) a request to rezone approximately 5.38 acres located adjacent to the Bloomington Country Club from Open Space to Planned Development Residential and to locate the property within the Resort Overlay.

Councilmember Baca asked staff to distinguish the ordinance on short term leasing rentals and overlays versus planned development subdivisions.

Planning & Zoning Manager John Willis explained the differences and stated that there is not an existing resort overlay zone covering this area.

MOTION: A motion was made by Councilmember Bowcutt to set the hearings to be advertised for May 19, 2016 for items 1A and 1B from the Planning Commission.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

CONDITIONAL USE PERMIT:

Approval of a conditional use permit to construct a 52', four story hotel at 175 North 1000 East. MRW Design Associates, applicant.

Planner Ray Snyder presented the request for a conditional use permit to construct a 52', four story hotel at 175 North 1000 East. He presented a PowerPoint presentation covering the following topics: summary of the request; vicinity map; aerial map of the property; reference: New Maverik store; existing structure to be removed; site plan; amenity; elevations; height dimensions; renderings; and cross section. He outlined the findings from the Planning Commission which include aesthetics, height and to maintain character and purpose of the zone. Signage was not addressed with this request.

Planning & Zoning Manager John Willis stated they will have two access points. The signage has not been discussed but will have to meet the sign code.

Mayor Pike read an email received from Kimball Forbes, the attorney representing St. George Hospitality LLC, owner of Motel 6. His client is objecting to the item as the proposed hotel will block the view of their hotel and the views of their patrons.

Applicant Greg Mathis stated the hotel is not visible from I15 but the will sign is. He does not believe it is an unreasonable expectation to think redevelopment will not affect the views. It was not their goal to block the adjacent hotel.

Mayor Pike commented that this is an area that can use revitalization.

MOTION: A motion was made by Councilmember Hughes to approve the conditional use permit construct a four story hotel up to 52' with the findings of staff and conditions of the Planning Commission.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for MWE St. George Medical Properties, a 1-lot commercial subdivision located at approximately 1000 South Riverside Drive; zoning is Planned Development Commercial. He showed and reviewed the preliminary plat. As the property is located within the erosion hazard line, the developer will be required to do an erosion hazard study to determine what mitigation measures will be required. Additionally, they will be dedicating a 60' road on the north side.

MOTION: A motion was made by Councilmember Baca to approve the preliminary
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Blackberry Court Phase 3, a 4-lot residential subdivision located at the west end of Blackberry Circle; zoning is R-1-10. He showed and reviewed the final plat.

MOTION: A motion was made by Councilmember Bowcutt to approve the final
plat for Blackberry Court Phase 3.
SECOND: The motion was seconded by Councilmember Arial.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

FINAL PLAT:

Assistant Public Works Director Wes Jenkins presented the final plat for Boulder Creek Crossing Phase 1, a 9-lot commercial subdivision located 1450 South Street and west of River Road; zoning is Planned Development Commercial. Some items are being reviewed by the Legal Department prior to being recorded. He showed and reviewed the final plat.

MOTION: A motion was made by Councilmember Randall to approve the final plat for Boulder Creek Crossing Phase 1.

SECOND: The motion was seconded by Councilmember Hughes.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

COOPERATIVE AGREEMENT WITH UDOT:

Consider approval of a cooperative agreement with UDOT to provide design services for modifications on the Interchange at The Ledges along SR-18.

Support Services Director Marc Mortensen explained this agreement primarily concerns the east side of the roundabout. UDOT has agreed to reimburse the City \$40,000 toward funding the design and engineering.

MOTION: A motion was made by Councilmember Hughes to approve the cooperative agreement with UDOT for The Ledges interchange modifications.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

DISADVANTAGED BUSINESS ENTERPRISE POLICY STATEMENT:

Consider approval of the Disadvantaged Business Enterprise (DBE) Policy Statement for the DBE program with SunTran.

Support Services Director Marc Mortensen explained housekeeping item to fulfill an FTA requirement.

MOTION: A motion was made by Councilmember Baca to approve the Policy Statement for the Transit Disadvantaged Business Enterprise.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on March 24, 2016.

MOTION: A motion was made by Councilmember Arial to approve the minutes from March 24, 2016.
SECOND: The motion was seconded by Councilmember Bowcutt.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

APPOINTMENTS:

Mayor Pike recommended appointing Dr. Chris Moore to the Animal Shelter Board.

MOTION: A motion was made by Councilmember Hughes to appoint Dr. Chris Moore to the Animal Shelter Board.
SECOND: The motion was seconded by Councilmember Randall.
VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt – aye
Councilmember Arial – aye
Councilmember Baca – aye

The vote was unanimous and the motion carried.

REPORTS FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:

Mayor Pike asked the Council about the Department Head budget presentations set for May 26th, he cannot be present nor can Councilmember Baca. He suggested having all of the presentations on May 12th, starting the meeting early and

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encouraging the Department Heads to make a brief presentation outlining their requests, preferably without a PowerPoint presentation.

ADJOURN:

MOTION: A motion was made by Councilmember Randall to adjourn.

The meeting then adjourned.

Christina Fernandez, City Recorder